

APPLICANT: WESTON, Martin  
SERIAL NO.: 10/539,724  
FILED: March 6,2006  
Page 7

#### **REMARKS**

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

#### **Status of Claims**

Claims 1-29 are pending in the application, of which claims 6-23 and 26-28 are withdrawn from consideration as being directed to a non-elected invention. Claims 1-5, 24-25 and 29 have been rejected.

Claims 1-4 have been amended herein. Applicants respectfully assert that the amendments to the claims add no new matter.

#### **CLAIM REJECTIONS**

##### **35 U.S.C. § 101 Rejections**

In the Office Action, the Examiner rejected claims 1-5 and 29 under 35 U.S.C. § 101, as not falling within one of the four statutory categories of invention. Applicant respectfully traverses this rejection.

In response, Applicant has amended independent claim 1 to explicitly recite that the recited steps of “receiving”, “comparing” and “determining” are all performed within a processor. Accordingly, Applicant submits that claims 1-5 and 29 comply with 35 U.S.C. § 101 and requests that this rejection be withdrawn.

##### **35 U.S.C. § 102 Rejections**

Claims 1-5, 24-25 and 29 have been rejected under 35 U.S.C. § 102(a) as being anticipated by admitted art, as discussed at pages 4-6 and Figs. 1-2 of the application. Applicant respectfully traverses this rejection.

APPLICANT: WESTON, Martin  
SERIAL NO.: 10/539,724  
FILED: March 6,2006  
Page 8

Applicants have herein amended claims 1-5 and have withdrawn claims 24-25 without prejudice. It is respectfully submitted that Claims 1-5 and 29 distinguish patentably from the admitted art, by reason of the amendments made and by reason of the following argument.

At pages 4-6 and Figs. 1-2 of the application, the admitted prior art that is discussed is European Patent No. EP1175102. However, the present invention is distinguishable in several different ways from the disclosure of EP1175102 which is admitted in the present application.

In both the present invention and EP1175102, first and second frequency components are identified which are “mirrored” about the color subcarrier. In the case of pure chrominance, the amplitudes of these first and second frequency components would be expected to be equal. In EP1175102, the frequency components are modified by a simple function: the amplitude of the larger of the compared components is set to equal that of the smaller. In EP1175102, this modification of the frequency components, after an inverse transform, produces a signal which is likely to correspond closely to chrominance. That signal can be subtracted from the input composite signal to produce luminance and that signal can be demodulated to provide colour difference signals.

By contrast, in the present invention, the function that is used to modify the frequency components is not the simple function of always setting the amplitude of the larger component to that of the smaller. Instead, the function that is used varies with the frequency of the frequency components. It is important to note here that the function depends on the frequency of the frequency component and not on the amplitude of the frequency component.

This variation with frequency offers important advantages that are described in the present application. These advantages include the capability – not found in the admitted prior art – to process NTSC signals.

The Examiner has alleged that, in the admitted prior art EP1175102, the result of the comparison is different depending upon the frequency of the first frequency component because of multiplier 9 in Figure 1. However, Applicant believes that the Examiner’s interpretation of Figure 1 is technically incorrect for the reasons set out below. However, in order to more particularly and more clearly define the present invention, Applicant has amended independent claim 1.

APPLICANT: WESTON, Martin  
SERIAL NO.: 10/539,724  
FILED: March 6, 2006  
Page 9

Addressing first the Examiner's interpretation of Figure 1, Applicant points out that the output of block 8 (which is used in multiplier 9) is the magnitude of whichever of the two mirrored frequency components has the smallest amplitude. It is not the frequency of the frequency component. Accordingly, the circuit of Figure 1 treats every pair of mirrored frequency components in the same way; the comparison does not vary with frequency.

This distinction can be clearly seen by contrasting Figures 1 and 3. In Figure 1, block 8 receives only the magnitudes of the two frequency components. In Figure 3, block 308 receives not only the magnitudes of the two mirrored frequency components but also the frequency of the two mirrored frequency components.

As has been noted above, Applicant has amended claim 1 in order to show this distinction more clearly, and has amended dependent claims 2-5 in accordance with the amendments to independent claim 1.

Accordingly, Applicant respectfully asserts that amended independent claim 1 is allowable. Claims 2-5 depend, directly or indirectly, from amended independent claim 1 and therefore include all its limitations. Therefore, Applicant respectfully asserts that claims 2-5 and 29 are likewise allowable. Accordingly, Applicants respectfully request that the Examiner withdraw the rejections to amended independent claim 1 and to claims 2-5 and 29 dependent thereon.

Applicants respectfully request reconsideration and withdrawal of the rejections of claims 1-5 and 29.

### Conclusion

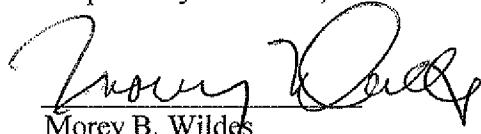
In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

APPLICANT: WESTON, Martin  
SERIAL NO.: 10/539,724  
FILED: March 6,2006  
Page 10

Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,



Morey B. Wildes  
Attorney/Agent for Applicant(s)  
Registration No. 36,968

Dated: August 23, 2010

**Pearl Cohen Zedek Latzer, LLP**  
1500 Broadway, 12th Floor  
New York, New York 10036  
Tel: (646) 878-0800  
Fax: (646) 878-0801